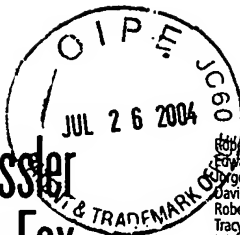




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1636

JFV

July 23, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1636

Re: U.S. Utility Patent Application
Application No. 10/035,216; Filed: January 4, 2002
For: **Viral Delivery System for Infectious Transfer of Large Genomic DNA**
Inserts
Inventors: Chiocca *et al.*
Our Ref: 0609.5050005/JAG/KRM/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents

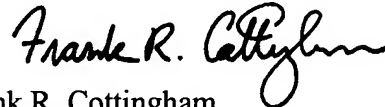
July 23, 2004

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd
Encls.

290121v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHIOCCA *et al.*

Appl. No. 10/035,216

Filed: January 4, 2002

For: **Viral Delivery System for
Infectious Transfer of Large
Genomic DNA Inserts**

Confirmation No.: 3452

Art Unit: 1636

Examiner: Garvey, T.

Atty. Docket: 0609.5050005/KRM/FRC

Reply to Restriction Requirement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **June 28, 2004**, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of group I, represented by claims 1-3.

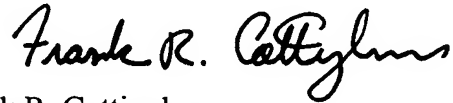
This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. This election is made **without** traverse.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Consideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Frank R. Cottingham". The signature is written in a cursive, flowing style.

Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: July 23, 2004

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